

CHAPTER 36

H.P. 14 - L.D. 9

**Resolve, Regarding Legislative Review of Chapter 11:
Registration, Collection and Dissemination of Prescription
Data Relating to Schedule II, III and IV Drugs, a Major
Substantive Rule of the Department of Health and Human
Services, Office of Substance Abuse**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 11: Registration, Collection and Dissemination of Prescription Data Relating to Schedule II, III and IV Drugs, a provisionally adopted major substantive rule of the Department of Health and Human Services, Office of Substance Abuse that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is

authorized if the rule is amended to require audit review of the vendor for compliance with the terms of the contract regarding confidentiality of information concerning the prescription drug, prescriber, pharmacy, patient and dispenser.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 20, 2005.